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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff

v.

EDUARDO “EDWARD” LOPEZ,

Defendant

CASE NO.: 2:23-cr-00055-CDS-DJA

**Order Granting MOTION TO
CONTINUE DEADLINE TO
RESPOND TO ORDER TO SHOW
CAUSE [ECF NO. 693]**

(First Request)

[ECF No. 698]

Attorney Mark Krotoski, Esq., by and through his undersigned counsel, respectfully moves, pursuant to LR IA 6-1, for an extension of time to file his response to the Court’s June 17, 2025 Order to Show Cause (“Order”), which is currently due by July 3, 2025. ECF No. 693. The undersigned was recently retained and requires time to review the record and investigate the issues in the Order. Undersigned counsel is also preparing for a firm jury trial scheduled to begin on July 7, 2025.

For these reasons, Mr. Krotoski requests until July 17, 2025 to submit a written response to the Court, which is 30 days from the date of the Order. This is the first request to extend the time for Mr. Krotoski’s response.



1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I.**

3 **BACKGROUND**

4 On June 17, 2025, this Court entered an Order to Show Cause against Mr. Krotoski and
 5 his trial co-counsel for Defendant Lopez. ECF No. 693. Citing Local Rule IA 11-7, which governs
 6 attorney discipline and allows district judges to initiate disciplinary proceedings against an
 7 attorney, the Court calls attention to conduct by Mr. Krotoski over the course of a fourteen-day
 8 jury trial and in filing post-trial briefs with Court. Mr. Krotoski's response will determine what,
 9 if any, sanctions or disciplinary action should result, and as such, the Court has recognized he is
 10 afforded due process rights in the ability to respond. The Court provided a response deadline to
 11 Mr. Krotoski (and his trial co-counsel) of July 3, 2025, which is 16 days after the Order was
 12 issued. ECF No. 693, at p. 9.

13 Because the Order implicates potential violations of professional responsibility rules by
 14 Mr. Krotoski, he has retained the undersigned to counsel and guide him through these issues. To
 15 effectively protect Mr. Krotoski's interests and provide a response to the Court, counsel will need
 16 to complete a thorough review of the record and investigate the matter. As this Court is aware,
 17 there are nearly 700 docket entries, including fourteen days of trial transcripts, in this matter.
 18 While counsel may not need to review every single filing, the Court's Order cites to a number of
 19 docket entries that will need to be reviewed in order to effectively counsel Mr. Krotoski and
 20 provide the Court with a comprehensive response.

21 Furthermore, undersigned counsel, Peter Christiansen, is scheduled for a firm, two-week
 22 jury trial beginning on Monday, July 7, 2025 before the Honorable Erika Mendoza in the Eighth
 23 Judicial District Court in the matter of *Nguyen v. Endo*, Case No. A-20-826741-C. Therefore,
 24 good cause exists to grant an extension of the current July 3, 2025 deadline to July 17, 2025,
 25 which would be 30 days from the date of the Order.¹

26
 27 _____
 28 ¹ A deadline of 30 days is also set forth under Local Rule IA 11-7(g)(2) in response to an order to show cause.



II.

LEGAL ARGUMENT

Local Rule IA 6-1 allows for motions to extend time to file briefs before this Court. “A district court has ‘broad discretion’ to grant or deny a continuance.” *United States v. Flynt*, 756 F.2d 1352, 1358 (9th Cir. 1985), *amended on other grounds*, 764 F.2d 675 (1985).² The Ninth Circuit has identified four factors that are relevant on a motion to continue: (1) “the extent of [the movant’s] diligence in his efforts to ready his defense”; (2) the “[u]sefulness of the [c]ontinuance”; (3) “the extent to which granting the continuance would have inconvenienced the court and the opposing party, including its witnesses”; and (4) the “the extent to which the [movant would] suffer[] harm as a result of [a] denial.” *Id.* at 1358-59.

Here, each of the four factors weigh in favor of the requested extension. First, since the Order to Show Cause was issued, Mr. Krotoski has diligently sought to identify and obtain experienced legal representation. Second, a continuance would be useful, as it will allow undersigned counsel additional time to review the record, complete an investigation, and provide legal guidance and representation to Mr. Krotoski. Third, the requested continuance will not inconvenience the Court, which would instead benefit from a response arising out of an objective view of the record by newly retained counsel for Mr. Krotoski.

Fourth and most importantly, Mr. Krotoski will be severely prejudiced should the extension be denied. The issues raised in the Order present significant implications to Mr. Krotoski’s professional career, as the Court has required him to address possible violations of the rules of professional conduct. Thus, Mr. Krotoski has retained counsel to protect his interests and guide him in responding to the Court.

A brief two-week continuance of the July 3, 2025 deadline to July 17, 2025 will allow sufficient time for counsel to become acquainted with the issues and provide a thorough, measured response to the Court on the issues presented in the Order.

² Although Mr. Krotoski is not the defendant in this criminal matter, he is afforded constitutional due process rights in responding to the Court’s Order. *See* ECF No. 693, at p. 1.



1 **III.**

2 **CONCLUSION**

3 For the foregoing reasons, Mr. Krotoski, through his undersigned counsel, respectfully
4 requests a two-week continuance, until July 17, 2027, in which to respond to the Court's Order
5 to Show Cause.

6 Dated this 25th day of June, 2025.

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16 **ORDER**

17 It is hereby ordered that non-party Mark Krotoski's motion to extend his response
18 deadline **[ECF No. 698] is granted**. The deadline for Krotoski to respond to the June 17,
19 2025 order to show cause is extended to July 17, 2025.

20 Dated: June 25, 2025

21 
22 CRISTINA D. SILVA
23 UNITED STATES DISTRICT JUDGE
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